

HOUSE No. 2085

By Mrs. Paulsen of Belmont, petition of Anne M. Paulsen and others for legislation to further regulate speed limits on certain roadways in cities and towns. Transportation.

The Commonwealth of Massachusetts

PETITION OF:

Anne M. Paulsen	Kay Khan
Peter V. Kocot	Scott P. Brown
Robert L. Hedlund	Denis E. Guyer
Timothy J. Toomey, Jr.	Michael E. Festa
Martha M. Walz	J. James Marzilli, Jr.
Douglas W. Petersen	Frank I. Smizik
Patricia D. Jehlen	Cory Atkins
David Paul Linsky	Kathleen M. Teahan
Mary Whitney	Shirley Gomes
A. Richard Miller	William Smitty Pignatelli
Kevin Scott	John W. Scibak
Emmett Halpin	Joyce A. Spiliotis
Mary E. Grant	Matthew C. Patrick
Bruce E. Tarr	Stephen Kulik

In the Year Two Thousand and Five.

AN ACT RELATIVE TO SPEED LIMITS ON CERTAIN CITY AND TOWN WAYS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. The first paragraph of section eighteen of chapter
- 2 90 of the General Laws, as appearing in the 1998 Official Edition,
- 3 is hereby amended by striking said paragraph and inserting in
- 4 place thereof the following:—
- 5 Section 18. For the purposes of this section the words “func-
- 6 tionally classified local street” as defined by the Metropolitan
- 7 Planning Organization shall mean a public way in a residential

8 area and a public way between a residential and a minor commer-
9 cial area. The city council, the transportation commission of the
10 city of Boston, the board of selectmen, park commissioners, a
11 traffic commission or traffic director, or the department, on way
12 within their control, may make special regulations as to the speed
13 of motor vehicles and may prohibit the use of such vehicles alto-
14 gether on such ways; provided, however, that except in the case of
15 speed regulation no such special regulation shall be effective
16 unless it shall have been published in one or more newspapers, if
17 there be any, published in the town in which the way is situated,
18 otherwise in one or more newspapers published in the county in
19 which the town is situated; nor until after the department and the
20 registrar, acting jointly, shall have certified in writing that such
21 regulation is consistent with the public interests; provided, how-
22 ever, that no posted speed limit on a functionally classified local
23 street, shall be raised to a higher speed without the concurrence of
24 said city or town; provided, further, that nothing herein contained
25 shall be construed as affecting the right of the metropolitan dis-
26 trict commission or of the department of environmental manage-
27 ment to make rules and regulations, governing the use and
28 operation of motor vehicles on lands, roadways and parkways
29 under its care and control. No such rule or regulation shall pro-
30 hibit the use of passenger or station wagon type motor vehicles
31 whose gross weight is less than five thousand pounds and which
32 are registered for commercial use on ways where noncommercial,
33 passenger type motor vehicles are permitted to operate. No such
34 regulation shall be effective until there shall have been erected,
35 upon the ways affected thereby and at such points as the depart-
36 ment and the registrar, acting jointly, may designate, signs, con-
37 forming to standards adopted by the department, setting forth the
38 speed or other restrictions established by the regulation, and then
39 only during the time such signs are in place. Any sign, purporting
40 to establish a speed limit, which has not been erected in accor-
41 dance with the foregoing provisions may be removed by or under
42 the direction of the department.

1 SECTION 2. Section 18 of chapter 90 of the General Laws, as
2 so appearing, is hereby amended by inserting between the first
3 and second paragraph thereof the following paragraph:—

4 Notwithstanding the foregoing, any city or town which accepts
5 the provisions of this paragraph may establish a speed limit of not
6 less than 25 m.p.h. for a way which is a functionally classified
7 local street and no state approval shall be required; provided,
8 however that prior to establishing such speed limit such city or
9 town shall determine the location and length of each thickly set-
10 tled or business districts on functionally classified local streets, as
11 determined by the department of highways, within such city or
12 town and state and shall keep a map of such districts available to
13 the public in the office of the city or town clerk; provided further,
14 that any city or town establishing a speed limit under this para-
15 graph, shall inform the Department of Highways of its location
16 within thirty days after establishing such speed limit.